

**Notice of Allowability**

Application No.

10/730,889

Applicant(s)

HARADA ET AL.

Examiner

John H. Le

Art Unit

2863

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment filed 05/24/2005.
2. ☒ The allowed claim(s) is/are 1-4 and 6-9.
3. ☒ The drawings filed on 10 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

***Response to Amendment***

1. Applicant's amendment filed 05/24/2005 has been entered and carefully considered.

Claims 1, 7, and 8 have been amended.

Claim 5 has been cancelled.

Claim 9 has been added.

***Reasons for Allowance***

2. Claims 1-4 and 6-9 are allowed.

3. The following is a statement of reasons for the indication of allowable subject matter:

Please see the previous office action and applicant's argument filed on 05/24/2005.

Regarding claim 1, none of the prior art of record teaches or suggests the combination of a method for inspecting leakage of a container comprising an ozone concentration detection step of measuring an ozone concentration of a lower pressure side of the inside and the outside of the container; and a leakage determination step of determining presence of the leakage of the container based on a change in the ozone concentration, wherein the leakage determination step has an ozone concentration comparison step of calculating a concentration difference between the ozone concentration and a predetermined ozone concentration, and an ozone concentration determination step of determining presence of leakage when the concentration difference is larger than a predetermined value. It is these limitations as they are

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claimed in the combination with other limitations of claim, which have not been found, taught or suggested in the prior art of record, that make these claims allowable over the prior art.

Regarding claim 7, none of the prior art of record teaches or suggests the combination of an apparatus for inspecting leakage of a container comprising a storage container for storing a container therein in a sealed state; a pressurization/pressure reduction device which communicates with one of the container and the storage container to operate one of pressurization and pressure reduction; an ozone concentration detector for measuring an ozone concentration in a lower internal pressure side of the container and the storage container, wherein the ozone concentration detector output an ozone concentration signal corresponding to the ozone concentration measured; and a leakage determination connected to receive the ozone concentration signal outputted by the ozone concentration detector, wherein the leakage determination device calculates a concentration difference between the ozone concentration measured and predetermined ozone concentration and determines presence of leakage in the container when the ozone concentration exceeds a predetermined value. It is these limitations as they are claimed in the combination with other limitations of claim, which have not been found, taught or suggested in the prior art of record, that make these claims allowable over the prior art.

Regarding claim 8, none of the prior art of record teaches or suggests the combination of a method for inspecting leakage of a container comprising steps of generating a differential pressure between an inside and an outside of a container;

adding ozone gas to a higher pressure side of the inside and the outside of the container; measuring an ozone concentration of a lower pressure side of the inside and the outside of the container; and determining presence of the leakage of the container based on a change in the ozone concentration, wherein determining leakage includes calculating a concentration difference between the ozone concentration measured and a predetermined ozone concentration, and determining presence of leakage when the concentration difference is larger than a predetermined value. It is these limitations as they are claimed in the combination with other limitations of claim, which have not been found, taught or suggested in the prior art of record, that make these claims allowable over the prior art.

Regarding claim 9, none of the prior art of record teaches or suggests the combination of a method for inspecting leakage of a container comprising an ozone concentration detection step of measuring an ozone concentration of a lower pressure side of the inside and the outside of the container; and a leakage determination step of determining presence of the leakage of the container based on a change in the ozone concentration, wherein the leakage determination step has an ozone concentration comparison step of calculating a concentration difference between the ozone concentration and a predetermined ozone concentration, and an ozone concentration determination step of determining presence of leakage when the concentration difference is larger than a predetermined value, wherein the differential pressure generation step has a container storage step of storing the container in a storage container, and a container pressurization/pressure reduction step of operating one of

pressurization and pressure reduction for one of the container and the storage container. It is these limitations as they are claimed in the combination with other limitations of claim, which have not been found, taught or suggested in the prior art of record, that make these claims allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Contact Information***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John H Le whose telephone number is 571-272-2275. The examiner can normally be reached on 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FL

John H. Le

Patent Examiner-Group 2863

June 3, 2005

**BRYAN BUI**  
**PRIMARY EXAMINER**

*B. Bui*  
6/7/05